IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Bail Appl..No. 1342 of 2007()

AGAINST THE ORDER DATED 23/02/2007 IN ORDER IN
CMP.740/2007 of J.M.F.C.-I,THAMARASSERY
C.R.NO.4/07 OF THAMARASSERY EXCISE RANGE

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: PETITIONER/ACCUSED

RAJESH, AGED 24 YEARS,
S/O. ETTEKRAYIL MADHAVI, KADAVUR AMSOM,
CHAMAL DESOM, KOZHIKODE TALUK.

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)
SRI.LUIZ GODWIN D'COUTH

RESPONDENTS: RESPONDENT

THE STATE OF KERALA, REP. BY
THE EXCISE INSPECTOR, THAMARASSERY, THROUGH
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1342 OF 2007 C

Dated this the 12th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the accused in C.R. No.4/2007 of Thamarassery Excise Range for an offence punishable under Sec.8 (2) of the Abkari Act for having been found in possession of 5 liters of illicit arrack on 19.2.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 19.3.2007 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Thamarassery and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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